

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

GENE MARTIN AUTO SALES, INC., )  
 )  
PLAINTIFF, )  
 )  
v. ) CASE NO. 2:07-cv-937-MEF  
 )  
KEVIN DAVIS, *et al.*, )  
 )  
DEFENDANTS. )

## **ORDER**

This cause is before the Court on Defendant Kevin Davis's Motion to Dismiss (Doc. # 4). It is hereby ORDERED that on or before **November 2, 2007**, Defendant Kevin Davis shall file a brief in support of his motion. It is further ORDERED that on or before **November 9, 2007**, Plaintiff shall file a response to the motion. Defendant Kevin Davis shall file a reply brief by no later than **November 16, 2007**, at which time the motion shall be deemed under submission.

DONE this the 24th day of October, 2007.

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/s/ Mark E. Fuller

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CHIEF UNITED STATES DISTRICT JUDGE